

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Midsummer Investment, Ltd.,

Plaintiff,

-against-

Merriman Curhan Ford Group, Inc.,

Defendant.

Index No. 1:09-cv-09259-NRB

STIPULATION OF DISMISSAL OF
ACTION WITH PREJUDICE
[FRCP Rule 41(a)(1)(A)(ii)]

IT IS HEREBY STIPULATED by and between Plaintiff, ("Midsummer Investment, Ltd."), and Defendant, Merriman Holdings, Inc., formerly known as "Merriman Curhan Ford Group, Inc." ("MCF"), through their counsel that the above entitled action be and hereby is dismissed with prejudice pursuant to FRCP Rule 41(a)(1)(A)(ii).

Dated: November 18, 2010

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